

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

JOHN DOUGHERTY, *et al.*

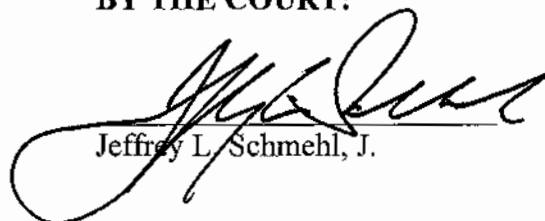
CRIMINAL

No. 19-64-6

ORDER

AND NOW, this 5th day of February, 2020, upon review of Defendant Niko Rodriguez's unopposed Motion for Early Production of Jencks Act Materials (ECF Docket No. 53) it is hereby **ORDERED** that the Motion is **DENIED**.¹

BY THE COURT:


Jeffrey L. Schmehl, J.

¹ In the Third Circuit, District Courts do not have the power to compel production of Jencks Act materials. *United States v. Giampa*, 904 F. Supp. 235, 288 (D.N.J. 1995) ("The Third Circuit has consistently explained that a district court cannot compel early production of Jencks Act material."); *United States v. Murphy*, 569 F.2d 771, 773 (3d Cir. 1978) ("The blunt command of the statute together with the unequivocal legislative history has led to unbroken precedent in the Courts of Appeals denying to district courts the power to compel production of the statements of government witnesses until conclusion of direct examination at the trial.").